

## NOTICE OF VIOLATION

New York Power Authority  
Indian Point 3 Nuclear Power Plant

Docket No. 50-286  
License No. DPR-64

During an NRC inspection conducted December 9-13, 1996, two violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violations are listed below.

1. 10 CFR 50.65(b)(2)(iii), part of the maintenance rule, requires that the scope of the monitoring program include nonsafety-related structures, systems, and components (SSCs) whose failure could cause a reactor scram.

Contrary to the above, on December 13, 1996, the following nonsafety-related structures whose failure could cause a reactor scram were not included in the 10 CFR 50.65 monitoring program scope:

Turbine Building  
Power Conversion Equipment Building

This is a Severity Level IV violation.

2. 10 CFR 50.65(a)(1) and (a)(2) require that the performance or condition of SSCs shall be monitored against licensee-established goals unless "it has been demonstrated that the performance or condition of a structure, system, or component is being effectively controlled through the performance of appropriate preventive maintenance..."

Contrary to the above, on December 13, 1996, NYPA was not monitoring the performance or condition of numerous systems and components against established licensee-established goals, nor had NYPA demonstrated the effectiveness of preventive maintenance on these systems and components. Specifically, the affected SSCs included reactor protection and controls, reactor trip relays, engineered safeguards initiation logics, and numerous electrical power systems. The monitoring of the effectiveness of preventive maintenance had not been demonstrated in that the expectation is that system performance criteria will address both reliability and availability for risk significant and standby SSCs. However, NYPA did not have availability criteria for some risk significant systems, did not have reliability criteria commensurate with safety, and did not have effective plant level performance criteria for SSCs monitored at the plant level. All of these approaches conflict with NUMARC 93-01, which is the method used by NYPA for demonstrating the effectiveness of preventive maintenance.

This is a Severity Level IV violation.

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Pursuant to the provisions of 10 CFR 2.201, New York Power Authority is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice of Violation within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation; (2) the corrective steps that have been taken and the results achieved; (3) the corrective steps that will be taken to avoid further violations; and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence. If an adequate reply is not received within the time specified in this Notice, an Order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Dated at King of Prussia, Pennsylvania  
this 14 th day of February 1997